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PART IV

GOVERNMENT OF MEGHALAYA
MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT
ORDERS BY THE GOVERNOR

NOTIFICATION

The 19th June, 2009.

No.L.B.40/LA/2009/3.—The Industrial Disputes (Meghalaya Amendment) Bill, 2009 introduced in the Meghalaya Legislative Assembly on the 19th June, 2009 together with the statement of objects and Reasons is published under Rule 71 of the Rules of Procedure and Conduct of Business in the Meghalaya Legislative Assembly for general information.

THE INDUSTRIAL DISPUTES (MEGHALAYA AMENDMENT) BILL, 2009.

A

Bill

Further to amend the Industrial Disputes Act, 1947 (Central Act No. 14 of 1947) in its application to Meghalaya.

Whereas prior instruction of the President of India has been obtained;

Be it enacted by the Legislature of the State of Meghalaya in the Sixtieth year of the Republic of India as follows :-

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| Short title and commencement | 1. (1) This Act may be called the Industrial Dispute (Meghalaya Amendment) Act, 2009.

(2) It shall be come into force from the date of notification in the Official Gazette. |
| Amendment of Section 2 (S) of Industrial Disputes Act, 1947 (Central Act No. 14 of 1947) | 2. For the existing clause(s) of Section 2 of the Industrial Disputes Act, 1947 (Central Act No. 14 of 1947) the following shall be substituted, namely, -

“(S) “Workmen” means any person (including an apprentice) employed in any industry to do any manual skilled or unskilled, technical, sales promotion, operational, clerical or supervisory work or any work for the promotion of sales for hire or reward, whether the terms of employment be expressed or implied, and for the purposes of any proceeding under this Act in relation to an industrial dispute, includes any such person who has been dismissed, discharged or retrenched in connection with, or as a consequence of, that dispute, or whose dismissal, discharge, or retrenchment has led to that dispute, but does not include any such person :- |

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- (i) who is subject to the Air Force Act, 1950 (45 of 1950), or the Army Act 1950 (46 of 1950), or the Navy Act, 1957 (62 of 1957); or
 - (ii) who is employed in the police service or as an Officer or other employee of a prison; or
 - (iii) who is employed mainly in a managerial or administrative capacity; or
 - (iv) who being employed in a supervisory capacity, draws wages exceeding one thousand six hundred rupees per mensem or exercises, either by the nature of the duties attached to the office or by reason of the powers vested in him, functions mainly of a managerial nature;”

STATEMENT OF OBJECT AND REASONS

The State Government has decided to extend the provision of the Industrial Disputes Act, 1947 to the employees engaged in sales promotion and furnishing of information about the sales promotion in various Industries in the State. To achieve this objective, it is proposed to insert the words “sales promotion” and “any work of promotion of sales” in the definition of workmen as appeared under section(s) of Section 2 of the Industrial Disputes Act, 1947 (Central Act No. 14 of 1947).

Hence, the Bill.

Dr. MUKUL SANGMA,
Deputy Chief Minister in-Charge
Labour.

W. M. RYMBAI,
Secretary,
Meghalaya Legislative Assembly.

FINANCIAL MEMORANDUM

No expenditure will be involved from the Consolidated Fund of the State for implementing the provisions of the proposed Bill.

W. M. RYMBAI,
Secretary,
Meghalaya Legislative Assembly.